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GOVERNOR

STATE OF MICHIGAN

DEPARTMENT OF NATURAL RESOURCES

LANSING



REBECCA A. HUMPHRIES
DIRECTOR

February 11, 2008

TO: Rebecca A. Humphries, Director

INFORMATION: Natural Resources Commission

Transaction: State Forest Land Acquisition and Sale of Easement
Baraga Management Unit – Keweenaw County
Atlanta Management Unit – Montmorency County
Land Transaction Cases #20070331 and 20020203

Purchase Price: A strip of land 33 feet by 5,650 feet – \$15,000.00

Description: Keweenaw County, Grant Township, T58N, R28W, Section 1: a 33-foot-wide strip of land beneath and on either side of Mandan Road, as it traverses a 5,650-foot long portion of Section 1, as is more particularly described in Attachment A.

Reservation: The seller reserves a non-exclusive easement for ingress and egress to access their remaining property in Section 1 of Grant Township, T58N, R28W, Keweenaw County.

Seller: Theodore M. and Sandra A. Frank, Crandon, Wisconsin

Option Expires: March 17, 2008

Sale: 20-foot- by 1,038.96-foot non-exclusive easement serving one single family dwelling.

Description: Montmorency County, Briley Township, T30N, R02E, Section 20: Commencing at the ¼ Corner common to Sections 20 and 21, T30N, R02E, thence Southerly along the Section line between said Sections S 00° 18' 42" W 328.11'; thence enter said Section 20, at right angles to said Section line N 89° 41' 18" W 120.00' to the centerline of Hossler Road and the Point of Beginning of a 20' wide easement lying 10' left and right of a centerline described as: thence S 12° 57' 33" E 309.86'; thence S 00° 03' 09" W 317.11'; thence S 06° 52' 48" W 277.40'; thence S 44° 12' 40" E 112.88' to Point of Ending which is the East line of Section 20. Sidelines are to be extended or shortened to meet all angle points, all being a part of the NE ¼ of the SE ¼ of said Section 20.

NATURAL RESOURCES COMMISSION

Keith J. Charters, Chair • Mary Brown • Hurley J. Coleman, Jr. • Darnell Earley • John Madigan • J. R. Richardson • Frank Wheatlake

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Purchaser: Michael R. and Cynthia D. Shafto, Waterford, Michigan

Sale Price: \$7,500.00

Authority: Act 451, Public Acts of 1994, as amended

Notice: This item will appear on the Department of Natural Resources' (Department) February 28, 2008 Calendar and is eligible for approval on March 3, 2008. The transaction was also posted in local newspapers as required by legislation.

Comments: The offered strip of land includes a section of Mandan Road as well as land on either side of it. It is situated at the northern end of the Keweenaw Peninsula, between Fort Wilkins State Park and a significant block of existing State Forest land. This roadway has historically provided access to the existing State Forest land which, at this location, is not a publicly maintained road. The acquisition of this strip of land will bring the Department closer to securing permanent legal access to 8,214 acres of State-owned land.

The desired easement is located in Montmorency County, approximately four miles southwest of the Village of Atlanta. The applicant wishes to receive an ingress/egress easement across an existing gravel two-track so that they may gain permanent legal access to their land. The majority of the road over which the desired easement will run is already encumbered by an access easement to an oil and gas company. In order to facilitate the granting of this easement, the purchaser has offered to pay for one-half of the Mandan Road acquisition.

These transactions were reviewed by Department staff and the Department's Land Exchange Review Committee (LERC). The LERC recommended that they be approved on June 21, 2007. The State land over which the easement will run was acquired by tax reversion in 1930. The easement will be restricted to serving one single-family dwelling.

The purchase will include all mineral rights owned by the Seller.

The Land Exchange Facilitation Fund (LEFF) Act allows the Department to sell rights in land and deposit the proceeds in a fund, which can then be used to acquire replacement property. Deposit of said proceeds will not cause the fund to exceed \$2,500,000.00, as stipulated by legislation. Proceeds from the sale will be deposited in the LEFF.

Recommendations: (1) That the purchase be approved, with payment to be made from the LEFF, and/or the Michigan Natural Resources Trust Fund, State Forest Land Consolidation Initiative, as approved under the authority of Act 59, Public Acts of 2007.

- (2) That the sale of the non-exclusive easement serving one single family dwelling be approved under the authority of Part 21, Act 451 of 1994, as amended.
- (3) That conveyance of the easement occur either concurrent with or after the closing of the acquisition.
- (4) That the proceeds from the sale be deposited into the LEFF.

David E. Freed, Chief
Land and Facilities

Douglas A. Reeves, Acting Chief
Wildlife

Lynne M. Boyd, Chief
Forest, Mineral and Fire Management

Arminda S. Koch
Resource Management Deputy

Dennis R. Fedewa
Chief Deputy

I approve the staff recommendations.

Rebecca A. Humphries
Director

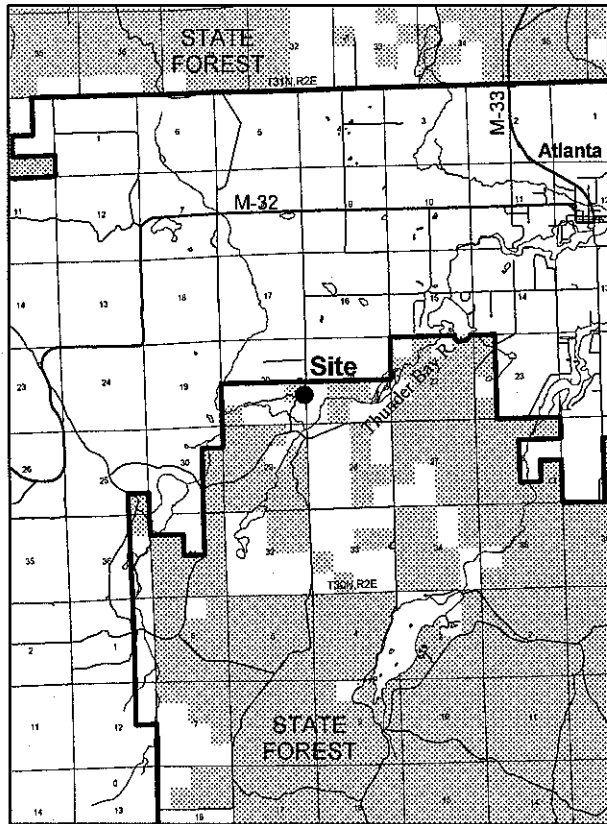
Date Approved

Attachment A
State Forest Land Acquisition Legal Description

A 33 ft. wide strip of land over and along Mandan Road, as it traverses a portion of Section 1, T58N, R28W (Grant Township), Keweenaw County, Michigan, with the north line of said strip of land being the north line of Mandan Road, said north line is described as follows: Commencing at the NE corner of said Section 1; thence S0d17'13"W 1702.50 ft. along the East line of said Section for the point of beginning (POB); thence N65d41'48"W 61.35 ft.; thence along a curve to the left 190.83 ft., having a radius of 610.00 ft., a central angle of 17d55'26", and a long chord bearing N74d39'31"W 190.05 ft.; thence N83d37'15"W 339.98 ft.; thence along a curve to the right 116.18 ft., having a radius of 390.00 ft., a central angle of 17d04'08", and a long chord bearing N75d05'11"W 115.76 ft.; thence along a curve to the left 261.58 ft., having a radius of 1445.12 ft., a central angle of 10d22'16", and a long chord bearing N71d44'15"W 261.23 ft.; thence N76d55'23"W 273.89 ft.; thence along a curve to the right 155.96 ft., having a radius of 990.00 ft., a central angle of 09d01'34", and a long chord bearing N72d24'36"W 155.80 ft.; thence N67d53'49"W 411.27 ft.; thence N71d37'45"W 119.06 ft.; thence N67d08'37"W 717.76 ft.; thence along a curve to the right 144.01 ft., having a radius of 990.00 ft., a central angle of 08d20'04", and a long chord bearing N62d58'35"W 143.88 ft.; thence along a curve to the left 252.01 ft., having a radius of 1198.83 ft., a central angle of 12d02'40", and a long chord bearing N64d49'53"W 251.55 ft.; thence N70d51'13"W 505.14 ft.; thence along a curve to the left 145.51 ft., having a radius of 810.00 ft., a central angle of 10d17'34", and a long chord bearing N76d00'00"W 145.32 ft.; thence N81d08'48"W 225.50 ft.; thence along a curve to the right 171.19 ft., having a radius of 790.00 ft., a central angle of 12d24'57", and a long chord bearing N74d56'19"W 170.86 ft.; thence N68d43'51"W 153.63 ft.; thence N71d30'37"W 157.91 ft.; thence N74d23'19"W 293.32 ft.; thence N78d27'08"W 231.08 ft.; thence along a curve to the right 131.87 ft., having a radius of 220.00 ft., a central angle of 34d20'37", and a long chord bearing N61d16'49"W 129.90 ft.; thence N44d06'31"W 147.38 ft. to a point located S75d29'13"E 206.99 ft. from the NW corner of said Section; thence N75d29'13"W 39.44 ft. to the point of ending (POE).

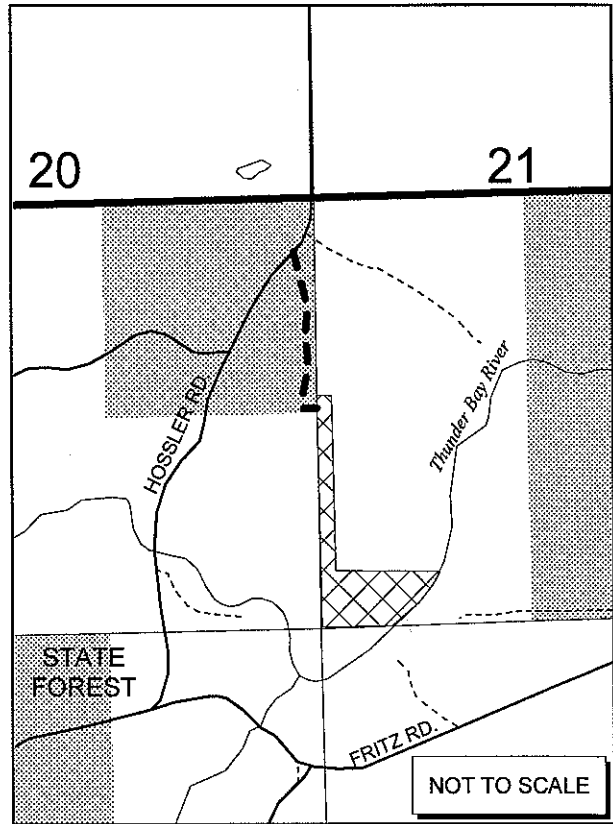
Reserving unto the Grantor's remaining property a non-exclusive easement for ingress and egress across the land being purchased. Grantors remaining property is described as: the entire Section 1, T58N, R28W, Grant Township, Keweenaw County, Michigan, lying southerly of the 33' wide strip of land described above.

STATE FOREST EASEMENT SALE AND PURCHASE
Atlanta Management Unit - Montmorency County
Baraga Management Unit - Keweenaw County
Land Transaction Cases #20020203 and #20070331
(Map 1 of 2)



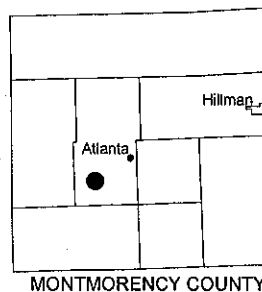
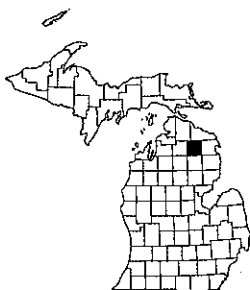
Regional Location

- State Forest Boundary
- ▨ State Land
- Private Land



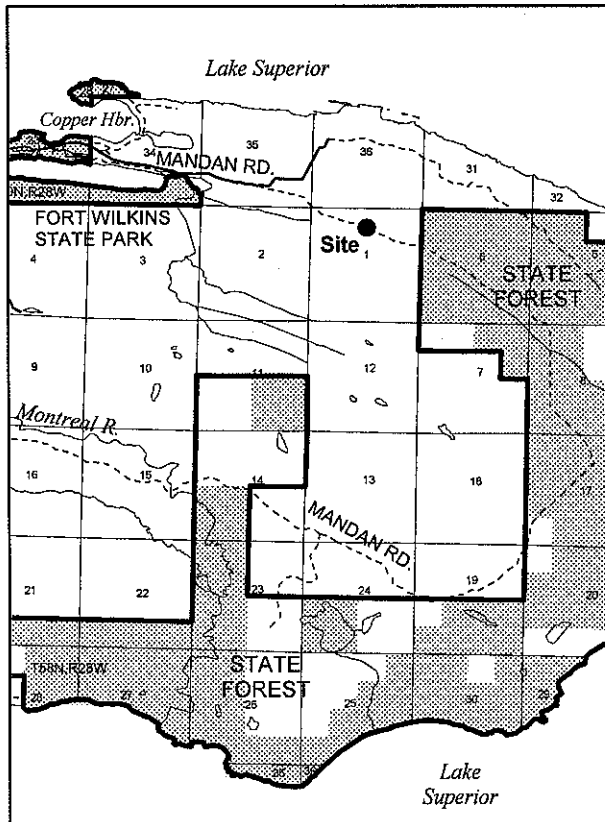
Montmorency County, Briley Township
Section 1, T30N, R02E (Case #200700331)

- State Forest Boundary
- - Easement Desired From DNR
(20 ft. by 1,060 ft. - \$7,500.00)
- ▨ Applicant's Land and Easement Served
by Desired Easement
- ▨ State Land
- Private Land



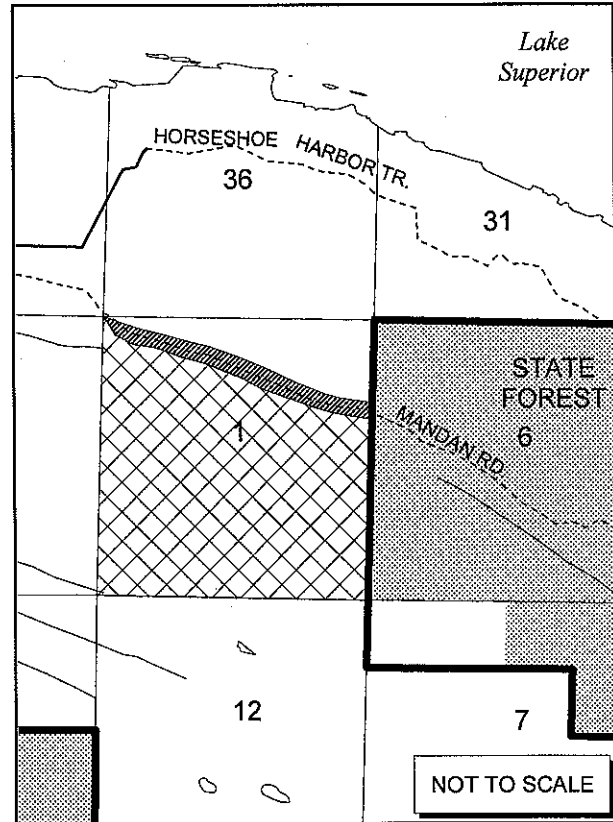
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STATE FOREST EASEMENT SALE AND PURCHASE
Atlanta Management Unit - Montmorency County
Baraga Management Unit - Keweenaw County
Land Transaction Cases #20020203 and #20070331
(Map 2 of 2)



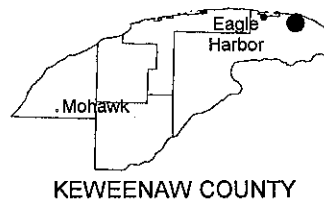
Regional Location

- State Forest or State Park Boundary
- ▨ State Land
- Private Land



**Keweenaw County, Grant Township
Section 1, T58N, R28W (Case #20020203)**

- State Forest Boundary
- ▨ Land Offered to DNR
(33 ft. by 5,650 ft. - \$15,000.00)
- ▤ Seller's Other Land
- ▨ State Land
- Private Land



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